

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No.: 08-20332-Civ-COOKE/WHITE  
(03-20972-Cr-COOKE)

FREDERICK THOMAS HARRINGTON,

Petitioner

vs.

UNITED STATES OF AMERICA,

Respondent.

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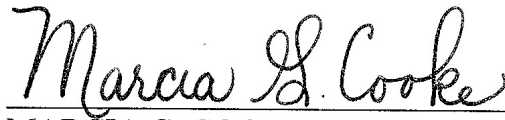
**ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION**

THIS MATTER was referred to the Honorable Patrick A. White, United States Magistrate Judge, pursuant to Administrative Order 2003-10 of this Court, for a ruling on all pre-trial, non-dispositive matters and for a Report and Recommendation on any dispositive matters. On May 24, 2010, Judge White issued a Report [D.E. 48], recommending that the Petitioner's Motion be dismissed. The Petitioner has objected to Judge White's Recommendation, and has moved in the alternative for a Certificate of Appealability [D.E. 51 & 52].

I have considered Judge White's Report and Recommendations, and have made a *de novo* review of the record. I find Judge White's Report and Recommendations clear, cogent, and compelling. It is **ORDERED and ADJUDGED** that Judge White's Report and Recommendation [D.E. 48] is **AFFIRMED and ADOPTED**. The Petitioner's Amended Motion to Vacate or Correct Sentence Pursuant to 28 U.S.C. Section 2255 [D.E. 35] is **DENIED**. The Clerk is directed to **CLOSE** this case. An order on the Petitioner's Motion

for a Certificate of Appealability [D.E. 52] will be issued separately.

**DONE and ORDERED** in chambers, at Miami, Florida, this 29<sup>th</sup> day of June 2010.

A handwritten signature in cursive script, reading "Marcia G. Cooke". The signature is written in dark ink and is positioned above a horizontal line.

MARCIA G. COOKE

United States District Judge

Copies furnished to:

*Patrick A. White, U.S. Magistrate Judge*

*Counsel of record*

*Frederick Thomas Harrington, pro se*